

Message Text

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71

ORIGIN L-03

INFO OCT-01 EUR-25 ADP-00 SCA-01 JUSE-00 RSC-01 /031 R

DRAFTED BY L/M /SCA:JABOYD:MA

8/2/73 EXT 23062

APPROVED BY L/M/SCA:KEMALMBORG

EUR/WE:EBEIGEL (DRAFT)

EUR/IB:HYMCCOWN (DRAFT)

----- 123595

R 022001Z AUG 73

FM SECSTATE WASHDC

TO AMEMBASSY PARIS

AMEMBASSY MADRID

INFO AMCONSUL BARCELONA

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E.O. 11652, N/A

TAGS: PFOR, CPRS, SNAR, SP, FR

SUBJECT: EXTRADITION - FRANCOIS ROSSI

REF: (A) PARIS 20226; (B) MADRID 4213

1. RE PARA 2 OF REFTTEL A, USA HAS NO TREATY OBLIGATION TO EXTRADITE AN INDIVIDUAL TO A THIRD COUNTRY AFTER HE HAS BEEN EXTRADITED TO THE US FROM A SECOND COUNTRY. US IS THUS UNDER NO OBLIGATION TO EXTRADITE SUBJECT ROSSI TO FRANCE IF SPAIN SHOULD EXTRADITE HIM TO US AFTER A FINDING THAT SUBJECT IS EXTRADITABLE TO FRANCE AS WELL. HOWEVER, JUSTICE POINTS OUT THAT NO EXTRADITION REQUEST FROM FRANCE HAS BEEN REFUSED BY US COURTS AND THAT JUSTICE WOULD BE GLAD TO COOPERATE IN OBTAINING EXTRADITION OF SUBJECT ROSSI, AT APPROPRIATE TIME, BY TAKING ALL POSSIBLE STEPS INCLUDING MAKING KNOWN TO US COURT HISTORY OF CASE IN SPAIN AND REQUEST BY FRANCE.

2. DEPT IS FORWARDING A LETTER TO MADRID ATTENTION HARVEY CASH DATED JULY 30, 1973, FROM CHIEF JUDGE
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JACOB MISHLER OF THE EASTERN DISTRICT OF NEW YORK TO

THE HONORABLE FRANCISCO BUENO, CHIEF OF THE EXTRADITION
DEPARTMENT OF THE MINISTRY OF JUSTICE, REQUESTING THE
EXTRADITION OF SUBJECT ROSSI IN AUGUST. SAID LETTER
WAS NOT SOLICITED BY DEPT AND IS OUT OF TIME SEQUENCE
GIVEN STATEMENT IN REFTEL B PARA 2 THAT OCTOBER IS
PROJECTED DATE FOR DECISION ON REQUEST. NEVERTHELESS,
IN THAT THE CHIEF JUDGE WAS INTERESTED ENOUGH TO WRITE
LETTER ON HIS OWN INITIATIVE, DEPT IS FORWARDING IT TO
DEMONSTRATE TO SPANISH AUTHORITIES HOW IMPORTANT
THIS CASE IS TO US. EMBASSY IS REQUESTED TO DELIVER
LETTER. EVEN IF SUBJECT CANNOT BE EXTRADITED IN NEAR
FUTURE, JUSTICE STILL DESIRES EXTRADITION OF SUBJECT
IN OCTOBER OR EARLIEST POSSIBLE DATE. REQUEST
DESCRIPTION OF RESPONSE OF SPANISH AUTHORITIES
TO LETTER. ROGERS

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Message Attributes

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Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
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